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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,312

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Peter Meindl

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112 PLEASANT STREET
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EXAMINER

WRIGHT, MADISON L

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,312	Applicant(s) MEINDL ET AL.	
	Examiner Madison L. Wright	Art Unit 3781	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-29 is/are allowed.
- 6) ☒ Claim(s) 14-16, 19 and 23 is/are rejected.
- 7) ☒ Claim(s) 17, 18, 20-22 and 24-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 14 is objected to because of the following informalities: The applicant says, "the segments (5) bear protrusions (6) and groove-like recesses circumference about an outer circumferential face". However, the word "circumference" is not needed in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 23 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant says, "wherein the segments (5) comprise at least two recesses or bearing eyes (35) which receive either locking members or locking pins". However in the new paragraph 26, the applicant says, "In the embodiment according to fig. 2 ears 13 are further visible and have bearing eyes 35". The eyes in claim 23 are on the locking segment but the eyes in the specification are on the ears that are attached to the locking segment. The Examiner does not know if the eyes are supposed to be on the locking segment or on the ears.

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4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 19 recites the limitation "the pivot axis" in the third line of claim 19. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 14, 16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,670,799 to Dobbs ("Dobbs").

As to claim 14, Dobbs teaches a locking device for the fixation of a lid (pipe cap 10) in an opening of a pressure container (drill pipe 12) with at least two locking segments (slips 16) that are displaceable at right angles to an axis of the opening (Fig. 1-2), the segments bear protrusions (threaded contact surface 14) and groove-like recesses circumference about an outer circumferential face (Fig. 1), which in a locked position cooperate with recesses (threads 18) and protrusions along a brim (Fig. 1) of the opening, a displacement actuator (operating lever assembly 36) of the segments is linked (anchor arm 40) to the

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segments and to at least one point of application that is on the lid or on a member (anchor arm 28) connected to the lid (Fig. 1); wherein the segments are arranged in the direction of the circumference of the lid (Fig. 1) and are pivotably supported on the lid by a swivel arm (movable arm 30), separate from the displacement actuator (Fig. 1), that is interposed between the segments and the lid, the swivel arm in turn is pivotably connected to the segments (col. 2, lines 34-40).

As to claim 16, Dobbs teaches the locking device according to claim 14, wherein the points of application of the displacement actuator on the segments and/or on the lid or the member connected with the lid are designed as hinge bearings (pins 44 and 48) comprising bearing pins being pivotable about at least one axis (col. 2, lines 45-50).

As to claim 19, Dobbs teaches the locking device according to claim 14, wherein the segments are connected to the lid and adjustable along the pivot axis to facilitate adjustment of an axial separation of the segments from the lid along the pivot axis (col. 3, lines 52-65).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPUB 2003/0192433 A1 to Steiner ("Steiner") in view of U.S. Patent No. 4,303,177 to Amtmann ("Amtmann").

As to claim 14, Steiner teaches a locking device for the fixation of a lid (access cover 26) in an opening of a pressure container with at least two locking segments (a plurality of idler cam plates 66) that are displaceable at right angles to an axis of the opening, a displacement actuator (plurality of mechanisms 68) of the segments is linked to the segments (Fig. 5) and to at least one point of application that is on the lid (pg. 2, ¶ 0036) or on a member connected to the lid; wherein the segments are arranged in the direction of the circumference of the lid (Fig. 5) and are pivotably supported on the lid by a swivel arm (shoulder screws 88), separate from the displacement actuator (Fig. 5), that is interposed between the segments and the lid, the swivel arm in turn is pivotably connected to the segments (pg. 3, ¶ 0043), but does not teach the segments (5) bear protrusions (6) and groove-like recesses circumference about an outer circumferential face, which in a locked position cooperate with recesses (7) and protrusions along a brim (8) of the opening.

Amtmann teaches a pressure vessel 10 with an annular wall 26' that has annular grooves 92a and 92b and locking blocks 60' that has a plurality of radial projections 90a and 90b formed on the outer arcuate surface 72'. The grooves are positioned to receive the projections when the closure 46' is mounted on the

pressure vessel and the locking blocks are moved to their radially outward locking positions.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the grooves and projections of Amtmann with the locking segments as taught by Steiner to create a desired sealing relation of the closure to the pressure vessel (Amtmann, col. 2, lines 11-17).

As to claim 15, Steiner modified by Amtmann teaches the locking device according to claim 14, wherein the displacement actuator of the segments is each made up of at least one linear actuator (plurality of mechanisms 68) per segment (Fig. 5).

Allowable Subject Matter

11. Claims 27-29 are allowed.
12. Claims 17, 18, 20-22, and 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. Applicant is duly reminded that a complete response must satisfy the requirements of 37 C.F. R. 1.111, including: "The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. A general allegation that the claims "define a patentable invention" without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the

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requirements of this section. Moreover, "The prompt development of a clear Issue requires that the replies of the applicant meet the objections to and rejections of the claims." Applicant should also specifically point out the support for any amendments made to the disclosure. See MPEP 2163.06 and MPEP 714.02. The "disclosure" includes the claims, the specification and the drawings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madison L. Wright whose telephone number is 571-270-7427. The examiner can normally be reached on Monday thru Friday, 8:00 to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/M. L. W./

Examiner, Art Unit 3781

/Nathan J. Newhouse/

Supervisory Patent Examiner, Art Unit 3782